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G. R. S. IX-5]

Previous references.

File No. 26 - 19-20

192

Serial Nos. 834/33

(pp.)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two only

Part B for May 1920

SUBJECT.

Export of food grains outside the State

8(83) From the Food Controller No 9757 dt 31-2-20.

Fds copy of memo recd from the Asst Supdt of Police Davangere re, the booking of 1062 bags of horsegram

Mk 13/8/20

WD 2283—GPB—20,000—14-6-20

G. R. S. III—1] 1919-20

GENERAL AND REVENUE SECRETARIAT.

(P. P.)

NOTES.

File No. 26

File Heading.

Export of food grains outside the State

From

The Food Controller

No. 9758) Dated 3/4.2.20. Received 5.2.20.

Diary No. 13542	Enclos. one Spare Copies.	Serial No. 83

Brief Abstract of Letter.

Submits a copy of a memorandum recd from the Asst Supdt of Police Davangere, regarding the booking of 1062 bags of karegram from Shivamogga station on the 12th Jan 1920 to various parts of Bombay & Madras & states that the Dy of Police & the Rly authorities

NOTES AND ORDERS.

have been requested to have a thorough investigation made into the occurrence. The restriction for the export of karegram outside the State which had been removed from 1st Nov 1919

Notes—First Sheet.

1854 2

G. R S. III-2]

General and Revenue Secretariat.

P. P File No. 76 of 1919.

Serial No.

Chief Secretary's letter No. 221/6. P26-19-95 dated 16.2.20 (separate file) forwarding copy of letter from the Commissioner of Police, Bombay, to the Chief Secretary to Government.

Reminder addressed to the Chief Secretary's letter No. 221/6. P26-19-95 dated 16.2.20 (separate file)

No further report received from the C. of P. in the matter

Draft for approval

Sd/- M. 23/3/20

Sd/- 23/3/20

Order dated 24/3

From the Commissioner No 4283 dated 25/26.3.20 states that the matter is under police enquiry & that he has reminded the D.C. of Police.

133 From the Same - No 4620 dated 15.4.20 In continuation of the above stated

NOTE—Contn. sheet.

G. R S. III-2]

3

General and Revenue Secretariat.

P. P File No. 26 of 1919.

Serial No.

Submits copies of correspondence and states that as the Station Master who allowed the Express is dead no criminal action can be taken & that he has received the Dy. Supt of Police's telegram to return the horse gram to the Ry Co: for being handed back to the consignor's.

Submd
Illegible
16/4/20

Imperial Secretariat

Dewan

Illegible
17/4

The Dewan's orders in the enclosed (Confdl. No. 134)

CHIEF SECRETARIAT
POLITICAL BRANCH
14 MAY 1920

NOTE—Contn. sheet.

IN REPLY REFER TO
NO. 9757
ENCL. Nil

Office of the Food Controller and
Director of Civil Supplies in Mysore.

Bangalore, Dated 3rd February 192 0

Tel. Address
"CIVISUP"

5 - FEB 1920

DIARY NO. 13542

2036.

FROM

K. MATTHAN ESQ., B.A.,
Food Controller and Director of Civil Supplies in Mysore.

SERIAL NO. 259-83

TO

C. S. Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the Govt. of Mysore.

Sir,

I have the honour to submit herewith a copy of a memorandum received from the Assistant Superintendent of Police, Davangere, regarding the booking of 1062 bags of horsegram from Shivani station on the 12th instant to various parts of Bombay and Madras. I am requesting the Inspector-General of Police as well as the Railway Authorities to have a thorough investigation made into this occurrence. Meantime this affords a strong argument for our being empowered to stop all goods trains and check the waggons to see whether any controlled food grains are being exported.

I have the honour to be,

Sir,

Your most obedient servant,

Food Controller & Director
of Civil Supplies in Mysore.

KM/MPH.

5

M E M O.

On the 22nd instant a rumour was wide-spread to the effect that a large quantity of horse-gram has been booked and stocked at ~~xxxxxxx~~ Shivani Railway station. In accordance with it I received a report also from the Holalkere Railway duty Jamadar intimating me the same fact. I examined all the railway stations upto Hosdurga and forwarded the Jamadar's report to the District Superintendent of Police for informing the fact to the Food Controller, as Shivani Railway station is not in my jurisdiction. I directed the railway Jamadar to go to Shivani and to report after ascertaining the facts. On the 26th at Jaglur I received the Jamadar's report stating that a large quantity of Horse-gram has been exported to the British limits and some more quantity is waiting the arrival of empty waggons for being exported. I forwarded this also to the District Superintendent of Police. On the 28th instant while I was at Harihar learnt that 3 waggon loads of horse-gram has been received from Shivani on its way to British Territory. I at once requested the Station Master of Harihar to detain the waggons. At about 7 P.M. Taluk Jamadar showed me a telegram which was given to Harihar Inspector by the Sub Inspector of ~~Ajjampur~~ Ajjampur which states (4 waggons of Horse-gram booked from Shivani to Belgaum are at Harihar enquire reply) I placed a guard over the waggons as it was already late.

This morning a memo was given to the Station Master of Harihar to detain the waggons as they have been loaded with controlled grains without priority certificate. I went to Shivani on the 31st and learnt that the permanent station

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station master, K. Rama Rao was dangerously ill and was unable to talk. So I saw the relieving station master, S. Ramachandra Iyer who had assumed charge on the 27th and requested him to give the details of booking the horse-gram. He said that he is unable to give the details as he was not the man who booked. He gave me an extract of the register a copy of which is herewith attached. The extract shows that 1062 bags of horse-gram were booked on the 12th instant to various stations in the British limits by various persons of Shivani. Out of this consignment three waggons detained at Harihar contains 266 bags and another 65 bags which were detained by the Ajjampur Sub Inspector.

Baring these bags the remaining 731 have been exported into the British limits between 12th and 28th instant.

Since Railway station master is not in a possession to give further details I only took the extract from the Station records. I requested railway station master to let me see the telegram received by that station regarding the restrictions of horse-gram. He says that the telegram is not forth-coming in the station records. I was not able to see any other parties to make further enquiry. As Shivani station is out of my jurisdiction being in the Kadur District no further enquiryes could be made.

I consider it necessary that a searching enquiry by the Kadur District authorities may caused to be made to know the further details.

The 3 waggon loads i.e. 266 bags have been detained at Harihar.

Sd/ B. Abdul Gani.
Asst. Superintendent of Police.

Copy"
Director of Civil Supplies

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Inv. No.	Date	Bags	Horse gram	To what place	Consignors	Remarks
4	12-1-20	35	Horsegram	Belgaum	M. Mahanthappa	
1		35		Pachhapur	B. Channappa	
1		20		Gokak Road	Ballaguthi Basappa	
2		40		"	M. Mahalingappa	
5		30		Belgaum	B. Channappa	
2		30		Pachhapur	M. Mahalingappa	
1		25		Gadag	B. Channappa	
2		25		"	M. Mahalingappa	
3		30		"	"	
5		30		Belgaum	"	
6		30		"	Navanapna Huchappa	
7		30		"	"	
4		65		"	M.Mahalingappa	
2		65		Saltcotas	Basappa(Malkappa)	
3		65		"	Malkappa	
1		51		Narasaraopet	Laxmi Pathiappa	
2		51		"	"	
3		51		"	"	
4		51		"	"	
5		51		"	Malappa	
6		51		"	"	
1		51		Haveri	Laxmipathi	
1		50		Dharwar	Shivani Basappa	
5		50		Hubli	"	
6		50		"	B. Channappa.	

This is the true extract from goods receipt book. The permanent station master Mr. K.Rama Rao is sick. I am unable to give further information.
I searched for restriction telegram which is not forthcoming.

Sd/- S. Ramachandra Iyer,
Ag. Station Master.

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Statement of waggons despatched

Date	To what place	No. of waggons	Remarks.
22-1-20	Pachapur	one waggon 3755	
"	Narasarao pet	three waggons 8294,2807,3121.	
"	Belgum	one waggon 3960	
24-1-20	Narasarao pet	Two waggons 7353,7435.	
"	Belgum	one waggon 2876	
28-1-20	Hubli	one waggon 5040	detained at Harihar.
"	Baltcoppas	two waggons 3701,5561.	
"	Haveri	one waggon 2706	"
"	Belgam	one waggon 573	Detained at Harihar.
29-1-20	Gadag	one waggon 5186	
"	Belgam	one waggon 4110.	

" True Copy"

Sd/. Abdul Gani.
Asst. Superintendent of Police.

"Copy"

For Director of Civil Supplies

IN REPLY REFER TO
1602
ENCL- Three

Tel. Address
"CIVISUP"

OFFICE OF THE FOOD CONTROLLER AND
DIRECTOR OF CIVIL SUPPLIES IN MYSORE

Bangalore, Dated 15th April 1920

17886
DIARY NO.

FROM

K. MATTHAN ESQ., B.A.,
Food Controller and Director of Civil Supplies in Mysore.

pp

26

733

To

C. S. Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the Govt. of Mysore.

Sir,

In continuation of my letter No.4283 of the 26th March 1920, regarding the unauthorised booking of horsegram from Shivani Station, I have the honour to submit herewith copies of the marginally noted correspondence. It will be seen that there are good grounds for believing that the consignments were accepted by the station master after the 12th January, but no prosecution can be launched against the consignors as the prohibition was notified in the Gazette only on the 15th January. There is a clear irregularity on the part of the Station Master, but as he is now dead, nothing can be done except to bring the irregularity to the notice of the railway authorities. This has been done by me.

I have also requested the Inspector-General of Police to return the horsegram to the railway company for being handed back to the consignors.

I have the honour to be,
Sir,
Your most obedient servant,

Food Controller & Director
of Civil Supplies in Mysore.

KM/MPH.

1. Letter No.F.C.241/19-20 from the Dy. Commissioner, Kadur District to the Inspector-General of Police in Mysore
2. Letter No.2212/19-20 dated 5/6th April 1920 from the Inspector-General of Police in Mysore to the Food Controller in Mysore
3. This office letter dated 15th April 1920 to the District Traffic Superintendent, M. and S. M. Railway, Dharwar.

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Letter No. F.C. 241 /19-20 dated from the Deputy Commissione Kadur District, to the Inspector General of Police in Mysore.

&&&&&&&&

With reference to your letter No. R.O.C. 2212/19-20 dated 7th February 1920 about the horse-gram booked in the Sivani Railway station, on the 12th January 1920 I have the honor to state that the matter was referred to the Superintendent of Police for enquiry. The papers submitted by him ending with his report No. 304 dated 22-2-1920/2-3-1920 are forwarded herewith for perusal. Of the several consignors whose names are given in the list received from the Food Controller, three, viz. Channappa of Banur, Maklappa of Ajampur, and Dasanna of Sivani, have been examined. The others are stated to be residents of Davangere. The three persons named above state that they were not aware of the Notification prohibiting the export of Horsegram without a license and that the Station Master also did not tell them that the export was prohibited.

2. The Station Master who booked the consignment at Sivani is reported to have died on the 4th February 1920. The telegram communicating the prohibition against the export of horsegram is said to be not forthcoming in the Sivani station. On enquiry at the Ajampur Railway Station, the Amildar of Tarikere was able to ascertain that the Telegram prohibiting the export was received there late at night on the 12th January 1920. It may therefore be presumed that a similar telegram reached Sivani also at about the same time.

3. There is no evidence forthcoming to show that the horse-gram was booked subsequent to the 12th January 1920 and that the transactions were antedated. The Superintendent of Police states in his report that he has directed the Tarikere Police

Inspector to proceed against the persons concerned under the Defence of India Regulation, But I fail to see how this can be done if the horsegram was really consigned on the 12th January 1920. The Notification prohibiting the export is dated the 9th January 2920, and it was published in the Official Gazette dated the 15th idem. It is only after such publication that the export becomes unlawful and the exporter renders himself liable to be punished. There being no evidence in the present case to show that the consignment was booked subsequent to the publication of the notification in the Gazette, the prosecution, if launched, is sure to fail. (vide Section 3 B sub Section 2 clause (d) of the Defence of India Regulation).

4. I must admit that the record does not show whether any enquiry was made to find out that the horsegram was booked subsequent to the 12th January 1920 and the transactions were antedated. It does not seem likely that at this distance of time, any evidence would be forthcoming in this respect. However I will ask the Superintendent of Police to make further enquiry into the matter and will communicate the result to you in due course.

5. The records sent herewith may kindly be returned for taking further action.

" C O P Y "

Food Controller and Director
of Civil Supplies in Mysore.

12

Letter No. 2212/19-20 dated 5/6th April 1920 from the Inspector General of Police in Mysore to the Food Controller in Mysore.

With reference to your memo No. 9775 of the 5th February 1920 forwarding copy of your letter No. 9774 of the 4th idem, to the General Traffic Manager, M. and S.M. Railway, Madras, rgarding the booking of horsegram from Sivani station to various stations outside the State on the 12th January 1920, I have the honor to state that the Deputy Commissioner of Kadur reports in his letter No. F.C. 241/19-20 of the 2nd instant(copy enclosed for ready reference) that from enquiries made it is ascertained that the telegram communicating the prohibition against the export of horesegram is not forthcoming in Sivani station and that at Ajampur Railway station it was received late on the 12th January 1920 and it may therefore be presumed that a similar telegram might have reached Sivani station at about the same time. He further adds that as the Government notification about the prohibition in question though dated 9th January 1920 was published in the Mysore Gazette of the 15th idem and the booking of horsegram in question on the 12th idem does not seem to be unlawful and that under these circumstances no criminal prosecution could be launched against the consignors under the Defence of India Regulation, especially as there is no evidence to show that the consignment was booked subsequently and antedated. The enclosures to the Deputy Commissioner's letter referred to above are also forwarded for reference and return when no longer required.

" C O P Y "

Food Controller and Director
of Civil Supplies in Mysore.

IN REPLY REFER TO
4599
ENCL-

Tel. Address
"CIVISUP"

OFFICE OF THE DIRECTOR OF CIVIL SUPPLIES
IN MYSORE,

13

Bangalore, Dated....15th April.....1920

FROM

K. MATTHAN Esq., B.A.,
Director of Civil Supplies in Mysore.

To

The District Traffic Superintendent,
M and S Railway,
Dharwar.

Sir,

In continuation of my letter No. 4435 of the 7th instant, I have the honor to thank you for the instructions given to the Station Master, Shivani, in accordance with which he furnished me when I visited the place on the 10th instant with all the information available in that Station regarding the unauthorised booking of horsegram from this Station. At my enquiry at Shivani and in the Police investigation which took place previously the following facts have been elicited.

(1) The telegram communicating the prohibition against the export of horsegram from the State sent by you to the Station Master is not forthcoming, but it appears to have been received during the night of the 12th January.

(2) It is understood to be a rule on the railway that "except small consignments of Road Van Goods, railway receipts must not be granted until the staff are in a position to load and despatch the goods" Registers and receipts of the station purport to show that 1071 bags of horsegram were received on the 12th idem, which is sufficie

load for about 16 waggons, although on this date there appear to have been no empty waggons available at the Station. The Register of telegraphic applications for vehicles required for clearance of goods maintained in the Shivani Station shows that on the 12th January at 4 P.M. application was made made for 10 waggons to transport Dhaniya(Coriander) to Bangalore City. The fact that no mention is made of waggons required for transporting horsegram would seem to show that up to the time of despatching this telegram(4. P.M.) the horsegram in question had not been booked. It is of course possible that all the 1071 bags were booked after 4 P.M., but this is very unlikely.

(3) In the Register above referred to there is subsequent entry of a telegram sent to Harihar for 20 vehicles required for transporting horsegram to Bangalore City. This message purports to be dated 13th January, but the original entry was 16th January and the date seems to have been subsequently altered to 13. The number of waggons asked for was ten according to the original entry and this was altered to 20. The Assistant Superintendent of Police Davangere reports to me that on making enquiry at Harihar as to the requisitions for empty waggons received from Shivani station between the 12th and 27th January, he has learned that the only message received at Harihar was on the 26th for 20 vehicles. The register referred to above shows further telegrams sent to Harihar on the 14th,15th, 16th, 17th, 18th,19th, 20th,21st (twice) and 22nd January each day for 30 vehicles and on the 23rd January for 20 vehicles, for transporting horsegram to Bangalore city and Hubli. But curiously enough these telegrams do not seem

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to have been received at Harihar. The Assistant Station Master in whose handwriting the entries in this register have been made informed me personally in the presence of the Station Master that the entries regarding these ~~waggons~~ messages were not genuine, that he made all the entries on one day under the orders of the then Station Master now deceased, and that although all the " signaller's initials" in the register are his, he himself has not sent any such messages.

(4) There is another circumstance which throws serious doubt as to the dates on which these consignments were actually booked. The goods "TO Pay" receipt book in use from the 28th November 1919 to the 14th January 1920 was the one numbered 00709. The last form used on the 11th January was No. 98. No. 99 was used on the 12th January and No. 100 was used on the 14th January. The receipts for the horsegram consignments which are dated 12th January have been issued from the "Paid " receipt book although all the consignments were "To Pay". I was informed that there was no other blank book in stock, but if the horsegram consignments were actually received on the 12th ~~then~~ the natural thing for the Station Master to have done was to issue a receipt for the first consignment in the last form(No.100) in the book in current use and then ~~made~~ make use of another book. The fact that form No. 100 was used on the 14th seems to show that the horsegram consignments purporting to have been received on the 12th were really received ~~on~~ after the 14th.

(5) Apart from all these causes of suspicion, even assuming that the goods were received on the 12th it appears to me

to have been the clear duty of the Station Master, when the orders of the Mysore Government communicating the prohibition of export of horsegram were communicated to him on the 12th night to have sought for instructions as to the disposal of the goods which had been accepted by him, but which were not actually despatched, as the prohibition is not against accepting or booking the goods but against their export. The export was actually made long after, the first despatches being only on the 22nd January. Thus there has been a clear violation of a rule issued by the Government under the Defence of India Regulation.

As however the Station Master who was responsible for this is reported to be now dead, it is deemed inadvisable to take any further steps in this matter, except to bring the points above elicited to the notice of the Railway authorities.

I have requested the Inspector General of Police in Mysore to return the goods to the railway authorities at Harihar with a view to their being handed back to the consignors. The goods are liable to be handed back at the Shivani station, but if the consignors are willing to take delivery at Harihar I have no objection to this being allowed as a special case.

I have the honor to be
Sir,
Your most obedient servant,

Sd/- K. Matthan,
Director of Civil Supplies
in Mysore.

Copy

Food Controller